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Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

FROM: Legislative Research Analyst - Elizabeth Bowen

DATE: October 19, 2015

SUBJECT: Department of Health and Welfare

IDAPA 16.03.01 - Eligibility for Health Care Assistance for Families and Children - Proposed Rule (Docket No. 16-0301-1501)

IDAPA 16.03.04 - Rules Governing the Food Stamp Program in Idaho - Proposed Rule (Docket No. 16-0304-1501)

IDAPA 16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind and Disabled (AABD) - Temporary and Proposed Rule (Docket No. 16-0305-1501)

IDAPA 16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind and Disabled (AABD) - Proposed Rule (Docket No. 16-0305-1502)

IDAPA 16.03.09 - Medicaid Basic Plan Benefits - Proposed Rule (Docket No. 16-0309-1501)

IDAPA 16.03.09 - Medicaid Basic Plan Benefits - Proposed Rule (Docket No. 16-0309-1502)

IDAPA 16.03.10 - Medicaid Enhanced Plan Benefits - Proposed Rule (Docket No. 16-0310-1501)

IDAPA 16.03.13 - Consumer-directed Services - Proposed Rule (Docket No. 16-0313-1501)

The Department of Health and Welfare submits notice of proposed rulemaking at IDAPA 16.03.01, 16.03.04, 16.03.05, 16.03.09, 16.03.10, and 16.03.13.

16.03.01

This proposed rule updates language to conform with the federal Medicare Access and CHIP Reauthorization Act of 2015. Specifically, the proposed rule incorporates transitional Medicaid for adults. Negotiated rulemaking was not conducted due to the nature of the rule change. The anticipated fiscal impact for fiscal year 2017 is \$2,842,411 coming from the state general fund and \$6,928,649 coming from federal funds. The Department states that this rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-209, 56-236 through 56-240, 56-242, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

16.03.04

This proposed rule conforms food stamp rules to federal requirements pertaining to eligibility. Negotiated rulemaking was not conducted due to the nature of the rule change. There is no anticipated fiscal impact on the

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state general fund. The Department states that this rulemaking is authorized pursuant to Section 56-203, Idaho Code.

16.03.05

The first rule, a temporary and proposed rule, updates program rules for Aid to the Aged, Blind, and Disabled in order to align with the current state plan. The effective date of the temporary rule is January 1, 2015. Negotiated rulemaking was not conducted due to the nature of the rule change. The anticipated fiscal impact to the state general fund is \$120,960, as the Department expects an increase in the number of requests from participants for preexisting medical expenses. The Department states that this rulemaking is authorized pursuant to Section 56-202, Idaho Code.

The second rule, a proposed rule, updates program rules for Aid to the Aged, Blind, and Disabled in order to align with federal requirements for eligibility. Negotiated rulemaking was not conducted due to the nature of the rule change. There is no anticipated impact on the state general fund. The Department states that this rulemaking is authorized pursuant to Section 56-202, Idaho Code.

16.03.09

The first rule, a proposed rule, updates and clarifies language relating to school-based and therapy services under Medicaid. Negotiated rulemaking was conducted, and there is no anticipated fiscal impact on the state general fund. The Department states that this rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

The second rule, also a proposed rule, revises language relating to primary care case management and health homes in order to reflect the state's shift toward an outcome-based health care policy initiative. Negotiated rulemaking was conducted, and there is no anticipated fiscal impact on the state general fund. The Department states that this rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

16.03.10

This proposed rule revises and incorporates language relating to home and community based services in order to align IDAPA rule with the state Medicaid plan and new requirements in federal regulations. The purpose of the rule is to provide greater opportunities for participants to receive care while remaining in their homes and communities. Negotiated rulemaking was conducted, and there is no anticipated fiscal impact on the state general fund. The Department states that this rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

16.03.13

This proposed rule also relates to home and community based services; its purpose is to ensure that participants live in, and receive services in, environments that comply with quality standards. Negotiated rulemaking was conducted, and there is no anticipated fiscal impact on the state general fund. The Department states that this rulemaking is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

cc: Department of Health and Welfare
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